

MIDDLESEX ss.

Commonwealth of Massachusetts

SUPERIOR
DEPARTMENT
OF THE
TRIAL &
CRIMINAL

No.

COMMONWEALTH

VS.

TONY DIAZ

Defendant

NOTICE OF APPEARANCE

TO THE CLERK OF THE ABOVE NAMED COURT:

Please enter my appearance as attorney for defendant -- Commonwealth,

TONY DIAZ

in the above entitled case.

Dated: August July 31 19.96

Richard M. Ivler
Richard N. Ivler

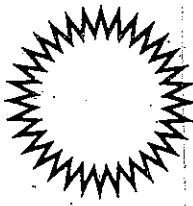
Attorney for Defendant Tony Diaz

Address 88 Broad St.
5th Floor
Boston, MA

Tel. No. 423 - 9370
(617) 0000 - 0000

1996, July 31
Filed in Court

FORM NO. SUP. 201

MIDDLESEX, ss.	Commonwealth of Massachusetts
	SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT
	In testimony that the foregoing is a true copy on file and of record made by photographic process, I hereunto set my hand and affix the seal of said Superior Court this 3rd day of NOVEMBER, 2005
	<u>Mary J. Curfio</u> Deputy Assistant Clerk

MIDDLESEX, ss.

Commonwealth of Massachusetts

SUPERIOR
DEPARTMENT
OF THE
TRIAL &
CRIMINAL

No.

COMMONWEALTH

VS

TONY DIAZ

Defendant

NOTICE OF APPEARANCE

TO THE CLERK OF THE ABOVE NAMED COURT.

Please enter my appearance as attorney for defendant - Commonwealth

TONY DIAZ

in the above entitled case.

Dated: Alleged July 31 1996

Richard M. Ivler
Richard N. Ivler

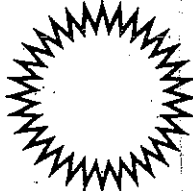
Attorney for Defendant Tony Diaz

Address 88 Broad St.
5th Floor
Boston, MA

Tel. No. (617) 423-9370
0222-810000

1996, July 31
Filed in Court

FORM NO. 100-200

MIDDLESEX, ss.	Commonwealth of Massachusetts
	SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT
	In testimony that the foregoing is a true copy on file and of record made by photographic process, I hereunto set my hand and affix the seal of said Superior Court this 3 rd day of NOVEMBER, 2005
	<u>Mary J. Cuffaro</u> Deputy Assistant Clerk

COPY

Mittimus issued.
\$60.00 Victim witness
fee assessed.

By the Court.
Chernoff J.
attest: David N. Barry
Asst. Clerk

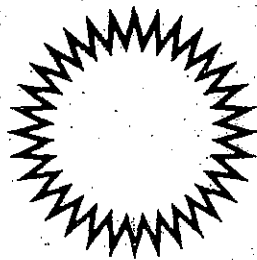
19 98 April 27
Defendant has been notified by Clerk in open
Court of his right to appeal sentence this day
imposed to the "Appellate Division of the Su-
perior Court" for a review of sentence as provided
by G.L. Chap. 278, Sec. 28A,B,C.

(Chernoff J.)

MIDDLESEX, ss.

Commonwealth of Massachusetts

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT



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and of record made by photographic process, I hereunto
set my hand and affix the seal of said Superior Court
this 3rd day of November, 2005

Mary J. Cuffaro
Deputy Assistant Clerk

Commonwealth of Massachusetts COPY

MIDDLESEX, TO WIT:

At the SUPERIOR COURT, begun and holden
at the CITY OF CAMBRIDGE, within and for the County of Middlesex,
on the First Monday of June in the year of our
Lord one thousand nine hundred and Ninety-three

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath present,
That Tony Diaz, also known as Santo Romero

on the Twenty-sixth day of May
in the year of our Lord one thousand nine hundred and Ninety-three
at Lowell, in the County of Middlesex aforesaid,

did traffick in a controlled substance as defined in clause (4) of
paragraph (a) of Class B of section thirty-one, to wit: cocaine, by
knowingly or intentionally manufacturing, distributing or dispensing
or possessing with intent to manufacture, distribute or dispense a net
weight of 200 grams or more of cocaine, or a net weight of 200 grams
or more of any mixture containing cocaine.

Against the peace of said Commonwealth, and contrary to the form of the statute in such case
made and provided.

A true bill.

Philip J. Capone
Foreman of the Grand Jury.

First Asst. District Attorney
Mark F. [Signature]

93-1090-001

1997, May 15
Continued until June 6, 1997
for NEM/COP B/A

1997, June 6
Continued until July 9, 1997
for EMH

1997, July 9
Continued until:
August 1, 1997 for supplementation
of EM

August 19, 1997 for EMH
1998, April 27

Comm. files partial rolls
Prosecutor as to this indictment
that alleges trafficking in cocaine
of 28 grams or more, but less
than 100 grams.

PLEA RETRACTED AND PLEA GUILTY
OFFERED AND ACCEPTED BY THE COURT
COMMONWEALTH MOVES FOR SENTENCE:

SENTENCE MASSACHUSETTS CORRECTIONAL
INSTITUTION, Cedar Junction
FOR A TERM NOT EXCEEDING five years
and a day YEARS, OR LESS
THAN five YEARS.
movement with sentence now
serve in pro term to 5/26/96.

Ch 94C.S32E(b) (4)
Trafficking Cocaine over 200 grams

COMMONWEALTH

vs.

Tony Diaz, aka

SUPERIOR COURT. June Sitting, 19 93

12TH day—Returned by the Grand Jury and
filed in Court.

1993, Aug. 5
Defendant defaulted Joseph M. Marshall
copies - DA Assistant Clerk.

1996, June 27 — ~~Defdt. 15~~ arraigned
and severally pleads ~~Not~~ guilty.

19 — A jury is empanelled, viz:—

1996, June 19
Continued until June 27, 1996
for default removal/arraignment
(9:00)

1996, June 27
Default removed, warrant
recalled.

Defendant is held without
bail or mainprize, without
prejudice — Mitts issued
By the Court,
(Spurlock, J.)

Continued until July 16, 1996
for Pre Trial Conf.
1996, July 16
Continued until July 31, 1996
for PTC.

Attest
Joseph D. Maloney
Deputy Asst. Clerk

1996, July 31
Continued until: September 12, 1996
for PTC, by agreement.

1996, September 12
Continued until October 1, 1996
for PTC, by agreement.

1996, October 1
Continued until October 29,
1996 for Non Evid. Motion by
agreement
1996, October 29
Continued until November 18,
1996 for NEM.

1996, November 18
Continued until: January 15, 1997
for trial

1997, January 10
Continued until: February 13, 1997
for EM. (2:00)
1997, February 13

Continued until: March 1, 1997
for status (EM)
Continued until: March 25, 1997
for EM

1997, March 21
Continued until April 29, 1997
for Lobby Conf. / Non Evid. Motion

1997, April 29
Continued until: May 15, 1997
for NEM B/A

Commonwealth of Massachusetts **COPY**

MIDDLESEX, TO WIT:

At the SUPERIOR COURT, begun and holden

at the CITY OF CAMBRIDGE, within and for the County of Middlesex,

on the First Monday of June in the year of our

Lord one thousand nine hundred and Ninety-three

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath ~~present~~
aforesaid do further present

That Tony Diaz, also known as Santo Romero

on the Twenty-ninth day of November

in the year of our Lord one thousand nine hundred and Eighty-eight

at Dorchester

SUFFOLK
, in the County of ~~Middlesex~~ ~~aforesaid~~

was previously convicted of distributing, or possessing with intent
to manufacture, distribute or dispense a controlled substance, as defined
in Class B of section thirty-one of Massachusetts General Laws
Chapter 94C, to wit: COCAINE, before the Dorchester District Court.

Against the peace of said Commonwealth, and contrary to the form of the statute in such case
made and provided.

A true bill.

Philip J. Capone
Foreman of the Grand Jury.

First Asst. District Attorney.
Anthony F. [Signature]

93-1090-0021

COPY

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS

SUPERIOR COURT DEPARTMENT

NO. 93-1090-001 thru 004

COMMONWEALTH

v.

TONY DIAZ, A.K.A. SANTO ROMERO

PARTIAL NOLLE PROSEQUI

Now comes the Commonwealth in the above-entitled matter and enters this partial nolle prosequi to so much of the above-captioned indictment as alleges trafficking in Cocaine over 200 grams, and elects to proceed on so much of that indictment as it alleges trafficking cocaine of 28 grams or more, but less than 100 grams, in violation of G.L.c.94C, §32E(b)(2). As reason therefore, the Commonwealth states that the interests of justice would be served by such partial nolle prosequi of these indictments at this time.

by:

John W. McEvoy, Jr.
John W. McEvoy, Jr.
First Assistant District Attorney

by:

Michael Friedland
Michael Friedland
Assistant District Attorney
Middlesex Superior Courthouse
40 Thorndike Street
Cambridge, MA 02124
(617)494-4823

Dated: *April 27*, 1998

MIDDLESEX, ss.

Commonwealth of Massachusetts

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT

In testimony that the foregoing is a true copy on file
and of record made by photographic process, I hereunto
set my hand and affix the seal of said Superior Court
this 3rd day of November, 2005

Mary J. Cuffaro
Deputy Assistant Clerk

Ch 94C S32A(d)
SECOND OR SUBSEQUENT OFFENSE

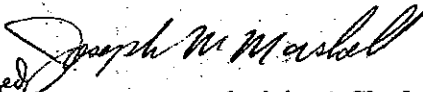
COMMONWEALTH

vs.

Tony Diaz, aka

SUPERIOR COURT. June Sitting, 19 93

12TH day—Returned by the Grand Jury and
filed in Court.

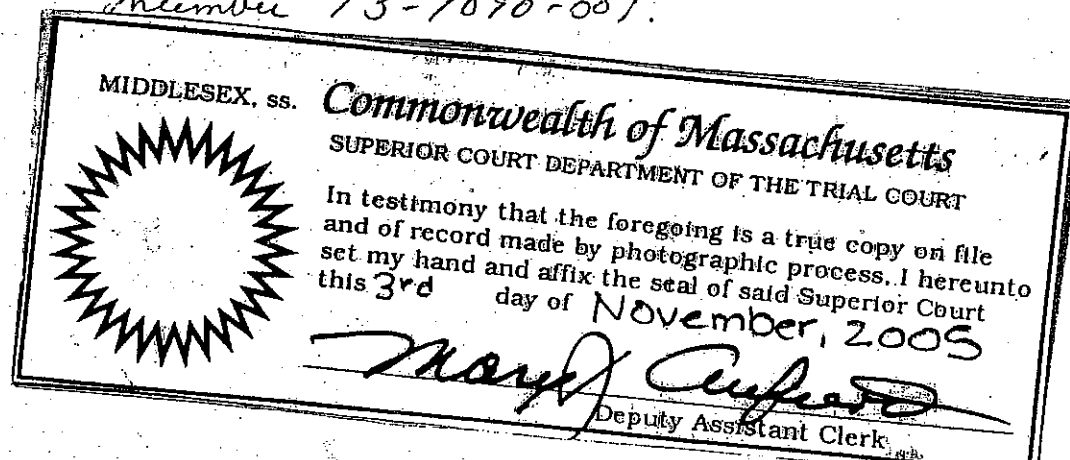
1993, Aug 5
Defendant defaulted
On fines - DA

Assistant Clerk.

1996, June 27 Dfdt. *PS* arraigned
and severally pleads *Not* guilty.

~~19~~ A jury is empanelled, viz:

1996, June 27
Default removed, warrant
recalled.

1998, April 27
See original indictment
number 93-1090-001.



Ch 94C S32A(d)

Second or Subsequent Offense

COMMONWEALTH

vs.

Tony Diaz, aka

SUPERIOR COURT. June Sitting, 19 93

12TH day—Returned by the Grand Jury and
filed in Court.

Joseph M. Marshall

Assistant Clerk.

19 Dfdts. arraigned

and severally plead guilty.

19 A jury is empanelled, viz:

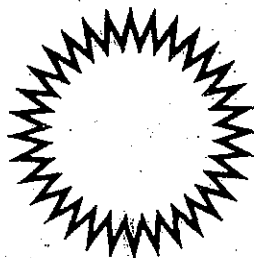
1998, April 27

See original indictment
93-1090-001.

MIDDLESEX, ss.

Commonwealth of Massachusetts

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT



In testimony that the foregoing is a true copy on file
and of record made by photographic process, I hereunto
set my hand and affix the seal of said Superior Court
this 3rd day of November, 2005

Mary J. Ayers
Deputy Assistant Clerk

Commonwealth of Massachusetts **COPY**

MIDDLESEX, TO WIT:

At the SUPERIOR COURT, begun and holden

at the CITY OF CAMBRIDGE, within and for the County of Middlesex,

on the First Monday of June in the year of our

Lord one thousand nine hundred and Ninety-three

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath ~~presently~~

~~xxxxxxx~~ That aforesaid do further present that
TONY DIAZ, also known as SANTO ROMERO

on the Fifth day of June

in the year of our Lord one thousand nine hundred and Ninety

at Boston

SUFFOLK

, in the County of ~~Middlesex~~ ~~aforesaid~~

was previously convicted of distributing, or possessing with intent to manufacture, distribute or dispense a controlled substance, as defined in Class B of section thirty-one of Massachusetts General Laws Chapter 94C, to wit: COCAINE, before the Suffolk Superior Court

Against the peace of said Commonwealth, and contrary to the form of the statute in such case made and provided.

A true bill.

Philip J. Capone
Foreman of the Grand Jury.

First Asst. Mark F. [Signature]
District Attorney.

COPY

Commonwealth of Massachusetts

MIDDLESEX, TO WIT:

At the SUPERIOR COURT, begun and holden

at the CITY OF CAMBRIDGE,

within and for the County of Middlesex,

on the

First

Monday of

June

in the year of our

Lord one thousand nine hundred and

Ninety-three

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath present,

That

Tony Diaz, also known as Santo Romero

or about

on the

Twenty-sixth

day of

May

in the year of our Lord one thousand nine hundred and Ninety-three

at

Lowell

, in the County of Middlesex aforesaid,

did conspire with Josefa Rodrigues, also known as Agueda Mercedes-Nunes, and/or Any Mercedes to traffick in cocaine, a controlled substance as defined in clause (4) of paragraph (a) of Class B of section thirty-one of Massachusetts General Laws Chapter 94C, in violation of General Laws Chapter 94C, Section 32 E(b) (4).

Against the peace of said Commonwealth, and contrary to the form of the statute in such case made and provided.

A true bill.

Philip J. Capone

Foreman of the Grand Jury.

First Asst. District Attorney

93-1090-004

CH 94C 540
Conspiracy to Traffick in Cocaine

COMMONWEALTH

vs.

Tony Diaz, aka

SUPERIOR COURT. June Sitting, 19 93

12TH day—Returned by the Grand Jury and
filed in Court.

1993, Aug 5 *Joseph M Marshall*
Defendant defaulted
1996, June 27 *Default removed* Assistant Clerk.

1996, June 27 Dfdt. 13 arraigned
and severally pleads *not* guilty.

19 *A jury is empanelled, viz:*

1998, April 27

ON FILE BY ORDER
OF *Chernoff* J.
WITHOUT A CHANGE
OF PLEA.
BY THE COURT

MIDDLESEX, ss.

Commonwealth of Massachusetts
SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT

In testimony that the foregoing is a true copy on file
and of record made by photographic process. I hereunto
set my hand and affix the seal of said Superior Court
this 3rd day of November, 2005

Mary J. Curfano
Deputy Assistant Clerk

David D. Perry
ASSISTANT CLERK

Commonwealth of Massachusetts **COPY**

MIDDLESEX, TO WIT:

At the SUPERIOR COURT, begun and holden

at the CITY OF CAMBRIDGE, within and for the County of Middlesex,
on the First Monday of June in the year of our
Lord one thousand nine hundred and Ninety-three.

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath present,
That Tony Diaz, also known as Santo Romero

on the Twenty-sixth day of May
in the year of our Lord one thousand nine hundred and Ninety-three
at Lowell, in the County of Middlesex aforesaid,

did own, possess or transfer possession of a firearm or ammunition
without complying with the requirements relating to the firearm
identification card provided for in section one hundred and twenty-nineC
of Chapter one hundred and forty.

Against the peace of said Commonwealth, and contrary to the form of the statute in such case
made and provided.

A true bill.

Philip J. Capone
Foreman of the Grand Jury.

First Asst. Dist. Atty.
Mark F. Kelly

93-1090-003

Ch 269 S10(h)
Poss FA in Residence

COMMONWEALTH

vs.

Tony Diaz, aka

SUPERIOR COURT. June Sitting, 19 93

12TH day—Returned by the Grand Jury and
filed in Court.

1993, Aug 5

Defendant defaulted

1996, June 27 Default Removed Assistant Clerk.

1996, June 27

Dfdt. 13 arraigned

and severally pleads Not guilty.

19

A jury is empanelled, viz:

1998, April 27

ON FILE BY ORDER

OF Chernoff J.

WITHOUT A CHANGE

OF PLEA.

BY THE COURT

Chernoff

Assistant Clerk

MIDDLESEX, ss.

Commonwealth of Massachusetts

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT

In testimony that the foregoing is a true copy on file
and of record made by photographic process, I hereunto
set my hand and affix the seal of said Superior Court
this 3rd day of November, 2005

Deputy Assistant Clerk

Commonwealth of Massachusetts COPY

MIDDLESEX, TO WIT:

At the SUPERIOR COURT, begun and holden
at the CITY OF CAMBRIDGE, within and for the County of Middlesex,
on the First Monday of June in the year of our
Lord one thousand nine hundred and Ninety-three

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath present,
That Tony Diaz, also known as Santo Romero

on the Twenty-sixth day of May
in the year of our Lord one thousand nine hundred and Ninety-three
at Lowell, in the County of Middlesex aforesaid,

did knowingly or intentionally manufacture, distribute dispense or
possess with intent to manufacture, distribute, or dispense a
controlled substance defined in clause (4) of paragraph (a)
of Class B of section thirty-one of Massachusetts General Laws
Chapter 94C, to wit: COCAINE.

Against the peace of said Commonwealth, and contrary to the form of the statute in such case
made and provided.

A true bill.

First Asst. *Mark F. Kelly*
District Attorney.

Philip J. Capone
Foreman of the Grand Jury.

93-1090-002

Ch 94C S32A(c)
Dist./Poss. w/i Dist CS B

COMMONWEALTH

vs.

Tony Diaz, aka

SUPERIOR COURT. June Sitting, 19 93

12TH day—Returned by the Grand Jury and
filed in Court.

1993, Aug. 5

Defendant defaulted

1996, *Defendant Remanded*

Assistant Clerk.

1996 June 27 Dfdt~~y~~ 15 arraigned

and severally plead~~s~~ *Not* guilty.

19—

A jury is empanelled, viz:

1998, April 27

ON FILE BY ORDER

OF *Chernoff*

WITHOUT A CHANGE

OF PLEA.

BY THE COURT

Chernoff

Assistant Clerk

MIDDLESEX, ss.

Commonwealth of Massachusetts

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT

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this 3rd day of November, 2005

Mary A. Cyfer
Deputy Assistant Clerk

Ch 94C S32A(d)

SECOND OR SUBSEQUENT OFFENSE

COMMONWEALTH

vs.

Tony Diaz, aka

SUPERIOR COURT. June Sitting, 19 93

12th day—Returned by the Grand Jury and
filed in Court.

Joseph M. Marshall
Assistant Clerk.

19 Dfdts. arraigned
and severally plead guilty.

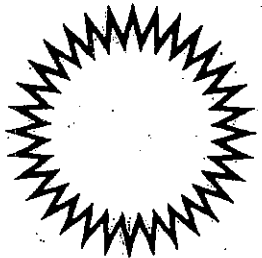
19 A jury is empanelled, viz:

1998, April 27
See original indictment
number 93-1090-001.

MIDDLESEX, ss.

Commonwealth of Massachusetts

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT



In testimony that the foregoing is a true copy on file
and of record made by photographic process, I hereunto
set my hand and affix the seal of said Superior Court
this *3rd* day of *NOVEMBER, 2005*

Mary A. Cyfer
Deputy Assistant Clerk

Commonwealth of Massachusetts

COPY

MIDDLESEX, TO WIT:

At the SUPERIOR COURT, begun and holden
at the CITY OF CAMBRIDGE, within and for the County of Middlesex,
on the First Monday of June in the year of our
Lord one thousand nine hundred and Ninety-three

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath ~~present~~
aforesaid do further present
That Tony Diaz, also known as Santo Romero

on the Fifth day of June
in the year of our Lord one thousand nine hundred and Ninety
at Boston SUFFOLK
in the County of ~~Middlesex aforesaid~~

was previously convicted of distributing, or possessing with
intent to manufacture, distribute or dispense a controlled
substance, as defined in Class B of section thirty-one of
Massachusetts General Laws Chapter 94C, to wit: COCAINE, before
the Suffolk Superior Court.

Against the peace of said Commonwealth, and contrary to the form of the statute in such case
made and provided.

A true bill.

Philip J. Capone
Foreman of the Grand Jury.

First Asst. District Attorney
Walter F. [Signature]

93-1090-0041

Commonwealth of Massachusetts

COPY

MIDDLESEX, TO WIT:

At the SUPERIOR COURT, begun and holden

at the CITY OF CAMBRIDGE, within and for the County of Middlesex,

on the First Monday of June in the year of our

Lord one thousand nine hundred and Ninety-three

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath ~~present~~

That aforesaid do further present
Tony Diaz, also known as Santo Romero

on the Fifth day of June

in the year of our Lord one thousand nine hundred and Ninety

at Boston

SUFFOLK

, in the County of ~~Middlesex~~ ~~aforesaid~~

was previously convicted of distributing, or possessing with intent to manufacture, distribute or dispense a controlled substance, as defined in Class B of section thirtyone of Massachusetts General Laws Chapter 94C, to wit: COCAINE, before the Suffolk Superior Court.

Against the peace of said Commonwealth, and contrary to the form of the statute in such case made and provided.

A true bill.

First Asst. *Walter F. [Signature]*
District Attorney.

Philip J. Capone
Foreman of the Grand Jury.

93-1090-0021

Ch 94C S32A(d)
Second or Subsequent Offense

COMMONWEALTH

vs.

Tony Diaz, aka

SUPERIOR COURT. June Sitting, 19 93

12TH day—Returned by the Grand Jury and
filed in Court.

Joseph M. Marshall

Assistant Clerk.

19 Dfdts. arraigned

and severally plead guilty.

19 A jury is empanelled, viz:

1998, April 27
Are original indictment
number 93-1090-001

MIDDLESEX, ss.

Commonwealth of Massachusetts

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT

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and of record made by photographic process, I hereunto
set my hand and affix the seal of said Superior Court
this 3rd day of November, 2005

Mary A. Cuffe
Deputy Assistant Clerk

Commonwealth of Massachusetts COPY

MIDDLESEX, TO WIT:

At the SUPERIOR COURT, begun and holden

at the CITY OF CAMBRIDGE, within and for the County of Middlesex,

on the First Monday of June in the year of our

Lord one thousand nine hundred and Ninety-three

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath ~~present~~
That aforesaid do further present

Tony Diaz, also known as Santo Romero

on the Fifth day of June

in the year of our Lord one thousand nine hundred and Ninety

at Boston

SUFFOLK

, in the County of ~~Middlesex~~ ~~aforesaid~~

was previously convicted of distributing or possessing with intent to manufacture, distribute, or dispense a controlled substance, as defined in Class B of section thirty-one of Massachusetts General Laws Chapter 94C, to wit: COCAINE, before the Suffolk Superior Court.

Against the peace of said Commonwealth, and contrary to the form of the statute in such case made and provided.

A true bill.

Philip J. Casone
Foreman of the Grand Jury.

First Asst. District Attorney.
Quah F. W.

93-1090-0021

Ch 94C S32A(d)
Second or Subsequent Offense

COMMONWEALTH

vs.

Tony Diaz, aka

SUPERIOR COURT. June Sitting, 19 93

12TH day—Returned by the Grand Jury and
filed in Court.

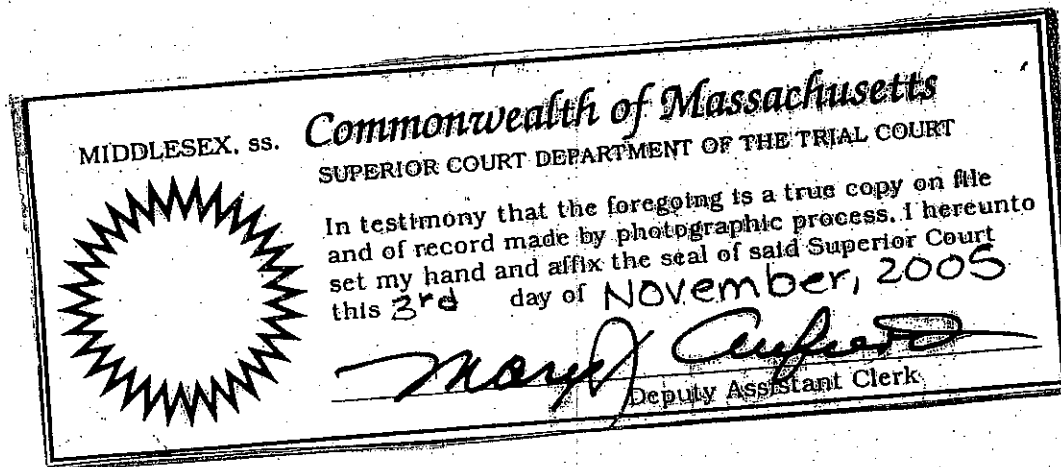
Joseph W. Marshall

Assistant Clerk.

19 Dfdts. arraigned
and severally plead guilty.

19 A jury is empanelled, viz:

*1998, April 27
See original indictment
number 93-1090-001.*



Commonwealth of Massachusetts
MIDDLESEX SUPERIOR COURT
Case Summary
Criminal Docket

COPY

MICR1993-01090
Commonwealth v Diaz, Tony

File Date	07/01/1993	Status	Disposed (sentenced) (dsenimp)
Status Date	04/27/1998	Session	6 - Crim 6 (Lowell)
Jury Trial	Yes	Origin	1 - Indictment
Lead Case			

Arraignment	06/27/1996	Track	I - Inventory	Final PTC	
Disp. Deadline	06/27/1997	Deadline Status	Deadline active since return date	Status Date	07/02/1996
Pro Se Deft	No	Custody Status	Shirley MCI	Start Date	
Weapon		Substance		Prior Record	Unknown

OFFENSES

Num	Offense	Code	Status	Status Date
1	05/26/1993	094C:032E:b4	Guilty plea (lesser offense)	04/27/1998
	Traffic in controlled substance, 200+g			
2	05/26/1993	094C:032A:b	Filed (no plea change)	04/27/1998
	Class B substnc, distrib/manufac, 2nd/subsqnt offense			
3	05/26/1993	269:010:h.1	Filed (no plea change)	04/27/1998
	Dang weapon, possess/transfr gun/ammo, no ID card			
4	05/26/1993	094C:040	Filed (no plea change)	04/27/1998
	Controlled substnc, conspiracy			

PARTIES

Defendant
Tony Diaz
DOB: 04/07/1965
Gender: Male
Active 07/01/1993

Private Counsel 552004
Brian W Chance
170 Merrimack Street
Suite 206
Lowell, MA 01852
Phone: 978-453-9505
Fax: 978-453-6445
Inactive 07/31/1996

Private Counsel 248270
Richard N Ivker
PO Box 695
Weston, MA 02493
Phone:
Fax:
Active 07/31/1996 Notify

Plaintiff
Commonwealth
Gender: Unknown
Active 07/01/1993

District Atty's Office 552691
Thomas A Brant
156 State Street
5th floor
Boston, MA 02109
Phone: 617-720-4056
Fax: 617-227-3262
Active 06/27/1996 Notify

Case Summary
Criminal Docket

MICR1993-01090
Commonwealth v Diaz, Tony

Alias deft name

Santo Romero

Gender: Male

Alias (see real party's status) 07/01/1993

Alias deft name

Jose F Morales

Gender: Male

Alias (see real party's status) 07/01/1993

ENTRIES

Date	Paper	Text
07/01/1993	1.0	Indictment returned
07/19/1993	2.0	Summons for arraignment issued for 8/5/93
08/03/1993		Deft defaulted; warrant issued to the District Attorney.
06/12/1996	3.0	Habeas corpus for Deft at Bristol House of Correction (New Bedford)
06/19/1996		Continued until 06/27/96 for default removal/arraignment at 9:00
06/19/1996	4.0	Habeas corpus for Deft at Bristol House of Correction (Dartmouth)
06/27/1996		Default removed; warrant recalled
06/27/1996		Appearance of Commonwealth's Atty: Brant
06/27/1996	5.0	Appointment of Counsel Chance
06/27/1996		Deft arraigned before Court
06/27/1996		RE offense 1: Plea of not guilty
06/27/1996		RE offense 2: Plea of not guilty
06/27/1996		RE offense 3: Plea of not guilty
06/27/1996		RE offense 4: Plea of not guilty
06/27/1996		Bail set: Defendant is held without bail or mainprise, without prejudice - Mitts issued. By the Court, (Spurlock, J.)
06/27/1996	6.0	Commonwealth files Statement of the Case. Filed in Court
06/27/1996	7.0	Affidavit of indigency. Filed in Court
06/27/1996	8.0	Mittimus returned with service
06/27/1996		Continued until 07/16/96 for pretrial conference
07/16/1996		Continued until 07/31/96 for pretrial conference.
07/19/1996	9.0	Habeas corpus for Deft at Bristol House of Correction (Dartmouth)
07/31/1996		Appearance of Deft's Atty: Ivker
07/31/1996		Continued until 09/12/96 for pretrial conference, by agreement.
09/12/1996		Continued until 10/01/96 for pretrial conference, by agreement.
10/01/1996	10.0	Commonwealth files notice of discovery. Filed in Court
10/01/1996	11.0	Pre-trial conference report
10/01/1996		Continued until 10/29/96 for non evidentiary motion by agreement
10/29/1996		Continued until 11/18/96 for non evidentiary motion
10/30/1996	12.0	Habeas corpus for Deft at Concord MCI

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Date	Paper	Text
11/18/1996		Continued until 01/15/97 for trial.
11/20/1996	13.0	Habeas corpus for Deft at Concord MCI
01/10/1997	14.0	Motion by Deft: To continue hearing date scheduled for 01/15/97 to 02/13/97. Filed in Court
01/10/1997	15.0	Motion by Deft: For information concerning individuals who are informants and/or witnesses cooperating with the Commonwealth for promises, rewards or inducements. Filed in Court
01/10/1997	16.0	Commonwealth files Compliance with pretrial conference report. Filed in Court
01/10/1997		Continued until 02/13/97 for evidentiary motion (2:00)
01/10/1997	17.0	Motion by Deft: to continue, filed in Court.
01/16/1997	18.0	Habeas corpus for Deft at Concord MCI
02/03/1997	19.0	Motion by Deft: To suppress evidence and statements. Filed in Court
02/03/1997	20.0	Deft. Files: Memorandum in support of Motion to suppress. Filed in Court
02/13/1997		Continued until 03/21/97 for status. Continued until 03/25/97 for Evidentiary Motion
03/21/1997		Continued until 04/29/97 for lobby conference/non evidentiary motion
03/24/1997	21.0	Habeas corpus for Deft at Concord MCI
04/29/1997		Continued until 05/15/97 for non evidentiary motion, by agreement
05/15/1997		Continued until 06/06/97 for non evidentiary motion/change of plea, by agreement
05/16/1997	22.0	Habeas corpus for Deft at Concord MCI
06/06/1997		Continued until July 9, 1997 for Evidentiary Motion Hearing.
06/09/1997	23.0	Habeas corpus for Deft at Concord MCI
07/09/1997		Continued until 08/01/97 for supplementation of Evidentiary Motions and 08/19/97 for Evidentiary Motions.
07/10/1997	24.0	Habeas corpus for Deft at Concord MCI
10/16/1997	25.0	Writ of Habeas Corpus issued
11/14/1997		Continued until 01/09/98 for Status
01/12/1998	26.0	Writ of Habeas Corpus to MCI Shirley for 1/15/98
02/04/1998		Continued until 3/6/98 for Trial/COP
02/04/1998	28.0	Motion by Deft: To Authorize Disbursement of Funds for Interpreter, filed in Court
02/04/1998		Motion (P#28) Allowed not to exceed \$500 (Paul A Chernoff, Justice)
02/06/1998	27.0	Rulings of Law and Order on Defendant's Motion to Suppress Statements ORDER: For the foregoing reasons, it is hereby ORDERED that Mr Diaz's motion to suppress evidence is DENIED. (Paul A. Chernoff, Justice of the Superior Court) c/m
02/23/1998	29.0	Writ of Habeas Corpus to M.C.I. Shirley for 3/6/98
03/09/1998	30.0	Writ of Habeas Corpus to M.C.I. Shirley for 3/27/98
03/31/1998	31.0	Motion For Withdrawal of Counsel, filed in Court
03/31/1998	32.0	Affidavit of Richard N. Ivker, filed in Court
04/27/1998	33.0	Comm. files partial Nolle Prosequi as to this indictment that alleges trafficking in cocaine of 28 grams or more, but less than 100 grams
04/27/1998		Plea of not guilty changed to guilty; accepted (Paul A. Chernoff,

Commonwealth of Massachusetts
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Date	Paper	Text
		Justice)
04/27/1998		RE offense 1: Guilty plea to lessr offns
04/27/1998		RE offense 2: Filed (no plea change)
04/27/1998		RE offense 3: Filed (no plea change)
04/27/1998		RE offense 4: Filed (no plea change)
04/27/1998		Sentence imposed:001 M.C.I. Cedar Junction for a term not exceeding -5- years and a day,or less than -5- years concurrent with sentence now serving nun pro tunc to 5/26/96 (Paul A. Chernoff, Justice)
04/27/1998		Victim-witness fee assessed: \$60
04/27/1998		Notified of right of appeal under Rule 64
04/27/1998		Mittimus issued to M.C.I. Cedar Junction
04/27/1998	34.0	Mittimus returned with service.

